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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,373	09/01/1999	MASAHIKO YOKOTA	862.3008	3894

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EXAMINER

NGUYEN, THOMAS T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/388,373

Applicant(s)

YOKOTA, MASAHIKO

Examiner

Thomas T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Pre-Amendment filed 09-19-2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1,2 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-13 and 15-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

FIRST OFFICE ACTION (paper #17)

Claim Objections

Claim 4 is objected to because of the following informalities:
in line 4 "fo" should be "for". Appropriate correction is required.

Claims 1-2, and 14 are cancelled.

Claim Rejections - 35 USC , 103

Claims 3-13,15-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al US Patent No. 5,727,135 in view of Yang et al. US Patent No. 5,760,412.

As per claims 3,23-25, Webb discloses in Fig. 1 the following:

a system and method for controlling a remote apparatus(16) from an external device (11) is connected 19,21 to the remote apparatus;

the apparatus has a control-panel (35) for specifying a processing operation which is operated in accordance with an indication from the control panel and/or an externally supplied command 12,14,35,63 (Fig. 1);

detecting a paper-jam, out-of-paper and displaying error and alert information (claims 7,14 and col. 3 lines 40-53, col. 23 lines 45-53);

displaying on the external device a virtual-control-panel (63) for displaying an appearance identical or similar to at least part of the control-panel of the remote apparatus including printer status and

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alert information, and generating an operational command from virtual control panel for operating the remotely controlled apparatus (col. 4 lines 42-67 and col. 5 lines 1-5, summary, claim 1).

Regarding the remote apparatus has a reader for reading an image of a document and detecting that the document has been set to the reader (see Applicant amendment paper #7). Webb's system discloses other types of remote apparatus (col.6 lines 26-28) but Webb fails to specifically disclose the other type of the remote apparatus is an image reader of a document. On the other hand, it was known in the art that a remote image reader detects a document presence set to the reader. For instance, Yang discloses "Apparatus and a method for sensing the presence of a document on the transparent surface of an optical scanner" (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to use Yang's teaching of an image reader with Webb's system because it "provides the user, without leaving the host, with the ability to access and use all features of the image reader operator panel to the same extent that a person could if physically present at the site of the image reader itself" (col. 3 lines 62-67). Thus, user can effectively view and operate the remote apparatus effectively (summary).

As per claims 4,17,20, Webb discloses a remote control system in Fig. 1 comprising:

a remotely controllable apparatus has a control-panel (35) for specifying a processing operation, and which is operated in accordance with an indication from the control panel and/or an externally supplied command 12,14,35,63 (Fig. 1);

detecting means for detecting a paper-jam, out-of-paper (claims 7,14 and col. 3 lines 40-53);

an information processing apparatus 11 capable of supplying a command to the remotely controllable apparatus; and

a display unit 13 and input device 12,14 connected to the information processing apparatus for displaying printer status and alert information (claims 7,14 and col. 3 lines 40-53, col. 23 lines 45-53) ; wherein the information processing apparatus includes:

discriminating means, and communications protocol for establishing correspondence between a command, which operation of the control panel causes to be applied to the remotely controllable apparatus, and an operation performed on the virtual control panel 63 (summary, col. 4 lines 43-67); and communication means, Webb discloses a bi-directional communications and LAN (Fig. 1) for supplying the remotely controllable apparatus with the command corresponding to the operation performed on the virtual control panel (col. 3 lines 54-67);

Regarding the remote apparatus has a reader for reading an image of a document and detecting that the document has been set to the

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reader (see amendment paper #7). Webb's system discloses other types of remote apparatus (col.6 lines 26-28) but Webb fails to specifically disclose the other type of the remote apparatus is an image reader of a document. On the other hand, it **was** known in the art that an image reader detects a document presence set to the reader. For instance, Yang discloses "Apparatus and a method for sensing the presence of a document on the transparent surface of an optical scanner" (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to use Yang's teaching of sensing the presence of a document with Webb's system because the virtual control panel "provides the user, without leaving the host, with the ability to access and use all features of the image reader panel to the same extent that a person could if physically present at the site of the image reader itself" (col. 3 lines 62-67, summary).

Regarding claims 5-6, in addition to what is recited in claim 4, Webb's system discloses the operation (function) is designation of a position on the virtual control panel (col. 4 lines 21-36), and display means for displays the virtual control panel based upon control-panel information obtained from said remotely controllable apparatus (col. 4 lines 21-36).

Regarding claim 7, in addition to what is recited in claim 4, Webb's system displays the virtual control panel based upon control-panel information possessed by the information processing apparatus (col.6 lines 44-52).

Regarding claim 8, dependent on claim 7, Webb's system discloses control-panel information is read out of a recording medium and recorded in advance and utilizable by the information processing apparatus (col.6 lines 56-67).

Regarding claim 9, in addition to what is recited in claim 4, Yang's optical scanner system inherently have an image forming.

Regarding claims 10-11, in addition to what is recited in claim 4, Webb's system displays information appears on the panel of the remote apparatus at any instant (col. 4 lines 25-30) such as jam, feed errors and tray selection in a printer and can initiating remotely (col.1, claim 4,7), and Yang discloses the reader including document reading and conveying mechanism for detecting the presence or absence of the document (abstract, and col. 8 lines 1-25), and indication function which indicates whether the document is present such as displaying "start", "NewDocument" when sensing a document is present (col. 5 lines 25-30). Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Yang's teaching of a document sensing function(col. 3 lines 12-15) with Webb's system (virtual control panel) because this would effectively enhance the user operation in computing environment because the user can effectively "view" the actual control panel in substantially real-time, and have the ability to access and use all features of the control panel to the same extent that a person could if physically present at the site of the image reader.

Regarding claim 12, in addition to what is recited in claim 4, Webb's system discloses the virtual control panel can be altered to meet user needs and enhance the user interface (col. 7 lines 62-67 and col. 8 lines 1-5).

Regarding claims 13, contain subject matters and features similar to claim 3. Thus, it is rejected under similar rationale.

Claim 14 is cancelled.

Regarding claims 15-16,18-19,21-22, in addition to what is recited in claim 4, respectively, Webb's network system discloses the authorization data concerning each user who use data processing system (col. 7 lines 54-67), and has configuration to establishing the ID of user connected to the network (col. 19 lines 17-59). Thus, Webb inherently discloses the authorization data concerning each user who uses the data processing system (col. 7 lines 54-67).

Regarding claim 26,28,30,32 in addition to what is recited in claim 3 respectively, Webb's system is a network computing system has configuration for establishing an edited virtual control panel for each multiple user according to user based on the inputting a user ID (col. 21 lines 45-67).

Regarding claims 27,29,31 in addition to what is recited in claim 4, respectively, Webb's system is a network computing system has configuration for establishing a virtual control panel for each multiple user according to input a user ID (col. 21 lines 45-67).

Response to Applicant's Remarks:

Applicant's arguments filed 08/19/2003 have been fully considered but they are not persuasive to put the invention in a condition for allowance. For example, Applicant argues that (page 13 lines 11-13) "even if such detection can be made, it does not lead to displaying a virtual control panel in response to this detection". The examiner disagrees, if such detection (sensing document presence) can be made from an image reader, and the image reader transmits to host a message about the detection for host to take control (Yang's system), **then** it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Webb's virtual control panel system to include the image reader because it "provides the user, without leaving the host, with the ability to access and use all features from a **virtual** control-panel to the same extent that a person could if physically present at the site of the **actual** control-panel itself" (col. 3 lines 62-67, summary) since both the printer and the image reader have operator panels and they both allow the host computer to control them remotely.

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Conclusion

Any inquiries concerning this communication or earlier communications should be directed to the Patent Examiner **Thomas Nguyen**, whose telephone number is (703) 308-7240 (Monday to Friday 09:30 - 6:00 ET) or **Kristine Kincaid Supervisory Patent Examiner** (703) 308-0640. Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900 and Official-Fax number (703) 828-9306.

Thomas T. Nguyen

03-05-04

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